

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

Plaintiff, : Case No. 3:09-cr-146

- vs -

District Judge Thomas M. Rose  
Magistrate Judge Michael R. Merz

RONALD GARRETT,

Defendant. :

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**STAY ORDER**

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This § 2255 case is before the Court on the United States' Amended Motion to Hold Case in Abeyance (ECF No. 99). Defendant has no objection and the Motion is well taken. . *In re: Embry*, \_\_\_ F.3d \_\_\_, 2016 U.S. App. LEXIS 13798 (6<sup>th</sup> Cir. July 29, 2016); *In re: Patrick*, \_\_\_ F.3d \_\_\_, 2016 U.S. App. 14878 (6<sup>th</sup> Cir. Aug. 12, 2016).

Accordingly, the Report and Recommendations (ECF No. 93) are WITHDRAWN and further proceedings in this case are STAYED pending a decision by the United States Supreme Court in *Beckles v. United States*, Case No. 15-8544, cert. granted, 2016 U.S. LEXIS 4142 (June 27, 2016).

August 22, 2016.

s/ *Michael R. Merz*  
United States Magistrate Judge